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12 UNITED STATES BANKRUPTCY COURT
13
14 NORTHERN DISTRICT OF CALIFORNIA

15 IN RE:) Case No. 09-41624
16)
17 Lance Thomas Libatique) Chapter 13
18 Roditha Aguirre Libatique)
19)
20 Debtor)
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24 CERTIFICATE OF SERVICE

25 I hereby certify that on July 11, 2009, a copy of above **NOTICE AND OPPORTUNITY FOR**
26 **HEARING ON DEBTOR'S MOTION FOR ORDER VALUING SECOND LIEN OF EMC**
27 **MORTGAGE AS \$0** as well as a copy of Debtors **MOTION TO VALUE 2ND LIEN OF**
28 **EMC MORTGAGE AT \$0**, along with a was served electronically or by regular United States
29 mail to all interested parties, the Trustee and all creditors listed below.

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34 EMC MORTGAGE, PO Box 141358, Irving TX, 75014

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39 /s/ Evan Martyndale Livingstone
40 Evan Martyndale Livingstone Esq.
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UNITED STATES BANKRUPTCY COURT

NORTHERN DISTRICT OF CALIFORNIA

IN RE:) Case No. 09-41624
)
Lance Thomas Libatique) Chapter 13
Roditha Aguirre Libatique)
)
Debtor)

**NOTICE AND OPPORTUNITY FOR HEARING ON DEBTOR'S MOTION
FOR ORDER VALUING LIEN OF EMC MORTGAGE AS \$0**

To Secured Creditor **EMC MORTGAGE**.

Take Notice – this is a Scream or Die Procedure. Debtor is giving you Notice that you have an Opportunity for a hearing on Debtor's attached motion to value the lien you hold on Debtor's real property at zero dollars (\$0), and for an order that the Lien may not be enforced, and for an order permanently stripping the Lien from Debtor's real property should Debtor receive a Discharge upon completing her Chapter 13 plan payments.:

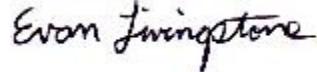
This scream or die procedure is prescribed by Local Rule 9014-1 of the United States Bankruptcy Court for the Northern District of California. Under this procedure any objection to the requested relief, or a request for hearing on the matter, must be filed and served upon the initiating party within 20 days of mailing of the notice;

A request for hearing or objection must be accompanied by any declarations or memoranda of law the party objecting or requesting wishes to present in support of its position;

1 If you do not file a timely objection to the requested relief or a request for hearing, the Court may enter
2 an order granting the relief by default;

3 Debtor will give at least 10 days written notice of a hearing to the objecting or requesting party, and to
4 the trustee appointed in the case, in the event an objection or request for hearing is timely.

5 Date: Saturday, July 11, 2009

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7 Evan Livingstone
8 Attorney for Debtor